



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/666,653	06/18/96	HONDA	024060-064

LM01/0317
PLATON N. MANDROS
BURNS DOANE SWECKER AND MATHIS
PO BOX 1404
ALEXANDRIA VA 22313-1404

EXAMINER
GARBER, W

ART UNIT	PAPER NUMBER
2712	12

DATE MAILED: 03/17/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/666,653

Applicant(s)
T. Honda et al.

Examiner
Wendy Garber

Group Art Unit
2712



☒ Responsive to communication(s) filed on Dec 21, 1998

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-28 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☒ Claim(s) 19-26 is/are allowed.

☒ Claim(s) 1-18, 27, and 28 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2712

1. Please note the application has been transferred to an examiner different than the one who worked on the previous Office action.
2. Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

As for claims 19-26, upon reconsideration of the cited references, the examiner agrees that the rejection cannot be maintained.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-18 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue.

As for claim 1, Inoue discloses a camera which includes both silver salt and video recording capabilities. Therefore, the Inoue camera includes a silver salt picture shooting section, a video picture shooting section and a video signal recording means. In col. 9, lines 25+, Inoue states that information relating to the picture can be stored on the film along with the image. Inoue does not explicitly state that the video signal recording means is capable of recording information relating to the picture along with the signal on the video recording means. Official Notice is taken that such information such as time/date is commonly recorded on a video recording medium along with the video signal and then reproduced along with the video signal when the

Art Unit: 2712

tape (or other recording medium) is played back at a later time. Inoue does not explicitly state that the video signal which is stored on the video recording means (element 125 in figure 17) is reproduced later on a monitor. Inoue does, however, include a monitor (element 112). It would have been obvious to one of ordinary skill in the art to have the capability to be able to reproduce the signals which are stored in the recording unit on the display. It is not conceivable that Inoue included a video recording unit from which reproduction was impossible. As discussed above, it is notoriously well-known in the art to include information about the picture recording (such as date/time) along with the picture and then display this information along with the video signal when the video signal is being played back.

The rest of the rejection of claim 1 and the rejection of claims 2-7 are set forth in the previous Office action.

As for claim 8, it is considered equivalent to claim 1 with the additional limitations to an identification number being identified with the film and an index recording section. Inoue shows in figure 1 and "film information detecting unit" (24) which is capable of detecting information about the film (col. 6, lines 59+). Although Inoue does not explicitly state that such information can include an ID number of the film and the frame number, Inoue does use the open phrase "or the like" which leaves the disclosure open to include any kind of information which would have been obvious to one of ordinary skill in the art. An ID number would have been obvious since it uniquely identifies the film being used so that it can be handled appropriately in post-processing. Also, note element 236 in figure 25. The frame number would have been equally obvious since

Art Unit: 2712

in any post-processing, the processor would need to know which frame number was being processed in order to know how to process it. As for the index recording section, this limitation is written broadly enough to read on the aggregate of information which is stored on the film along with each photograph (see figure 4). The magnetic recording layer along the top of the film can be considered as the "index data recording section".

Dependent claims 9-18 were treated in the previous Office action.

As for new claim 27, Inoue discloses that the video recording means stores a motion picture (col. 22, lines 19+).

As for new claim 28, as discussed relative to claim 1, it would have been obvious to reproduce a signal from the video recording medium. This claim is written broadly enough to read on the motion video being displayed as it is being read out from the memory (as common with commercially-available video cameras).

4. Claims 19-26 are allowed.

The prior art does not teach or fairly suggest a combination film/video camera wherein the video recording section records ID and frame number information output from the film information provider into the image signal corresponding to that frame number.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for response to this final action is set to expire **THREE MONTHS** from the date of this action. In the event a first response is filed within **TWO**

Serial Number: 666,653


Page 5

Art Unit: 2712

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication should be directed to Wendy Garber at telephone number (703) 305-4929.

WRG
March 15, 1999


Wendy Garber
Supervisory Patent Examiner
Technology Center 2700